

SECTION 2 GENERAL REQUIREMENTS

2.1 NON-CONFORMING USES AND NON-CONFORMING BUILDINGS

Except as hereinafter provided, no land, building or premises, or any part thereof, shall be constructed, reconstructed, extended, enlarged, moved, altered or contain any use, except in conformity with the Regulations herein prescribed. Any non-conforming use or building lawfully existing or in use at the time of the adoption of these Regulations, or any amendments thereto, may be continued and any building so existing which was designed, arranged, intended for or devoted to a non-conforming use may be reconstructed and structurally altered, and the non-conforming use therein changed, but only subject to the following Regulations:

2.1.1 Extension/Expansion of Non-Conforming Use or Building.

No non-conforming use shall be extended or expanded. No building which does not conform to the requirements of these Regulations regarding building height, area and width of lot, percentage of lot coverage and required yards shall be enlarged unless such enlarged portions conform to the Regulations applying to the district in which such building is located.

2.1.2 Change of Non-Conforming Use

No non-conforming use may be changed except to a use, which is permitted by the provisions of this Regulation for the zone in which such use is situated, or except, with the approval of the Zoning Board of Appeals, to another non-conforming use more consistent with the uses permitted in the zone in which the premises are located.

2.1.3 Reversion to Non-Conforming Use Prohibited

No non-conforming use shall, if once changed to a conforming use, be allowed to revert to nor be changed to a non-conforming use.

2.1.4 Discontinued Non-Conforming Use; Repair of Fire Damage

No non-conforming use that has been discontinued for a continuous period of six (6) months shall thereafter be resumed and no building containing a non-conforming use shall be rebuilt or restored at the same location and again used for non-conforming use after damage by fire, explosion or other catastrophe exceeding eighty (80) percent of its fair market value immediately prior to damage. An application for a permit to rebuild or restore the damaged portion for the non-conforming use shall be filed within six (6) months of damage.

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2.1.5 Normal Maintenance

Any building containing a non-conforming use may be repaired as part of normal maintenance and any structural member of such a building, which becomes or threatens to become unsafe, may be restored to a safe condition.

2.1.6 Non-Conforming Building: Expansion of Permitted Use

A non-conforming building containing a permitted use may be altered, remodeled or enlarged provided that any addition shall meet the requirements of Section 5 of these Regulations in respect to area, yard and height, and further provided that the floor area of any such building after alteration, remodeling or enlargement meets the floor area requirements of Section 6 of these Regulations.

2.1.7 Fire Damage to Non-Conforming Building Used for a Permitted Use

A non-conforming building containing a permitted use which building has been damaged or destroyed by fire or other causes may be rebuilt in its former location only to the size and extent of such building immediately prior to its damage or destruction, or may be rebuilt in conformance with Section 2.1.6, provided in either case a building permit for such work shall have been issued within four (4) months of the occurrence of such damage or destruction.

2.1.8 Building Permits Not Affected by Change of Regulations

Nothing in this Section shall require any change in the plans, construction or designated use of a building, for which a building permit has been issued in accordance with Regulations existing at the time of such issuance, on which the construction shall have been commenced prior to the adoption of these Regulations or of any amendments thereto, and which shall be completed within one (1) year after such adoption or amendment.

2.2 **EXISTING USE REQUIREMENT FOR SPECIAL PERMIT**

Any use legally existing as of the date of adoption of these Regulations, whether or not it would require a special permit if commenced after the date of adoption of these Regulations, shall nevertheless be recognized as a permitted use. Any such use that would require the issuance of a special permit if commenced after the adoption of these regulations shall only require a special permit upon application for an addition, expansion or other change in the existing site plan or use.

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2.3 DIMINUTION OF LOT SIZE RESTRICTED

No lot shall be diminished in area nor shall any yard, court or any other open space be reduced except in conformity with the provisions of these Regulations.

2.4 TWO DWELLINGS ON THE SAME LOT

No more than one (1) building containing a dwelling shall be located on a lot in any zone other than the PDM zone.

2.5 LOT LYING ON ZONE BOUNDARY

In the case of a lot lying in more than one district, the provisions of the less restrictive district may be applied for a distance of not over thirty (30) feet into the more restrictive district, provided that such lot has frontage on a street in the less restrictive district.

2.6 CORNER VISIBILITY

On any corner lot, no fence or similar structure shall be erected and no hedge, shrub, tree or other obstruction shall be maintained that constitutes a hazard to traffic by impairing the view.

2.7 PRE-EXISTING LOTS

Where safe and adequate vehicular access, sewage disposal and water supply, as required by the Public Health Code, can be provided without endangering the health and safety of the community nothing in these Regulations shall prevent the construction of a permitted building or the establishment of a permitted use on a legally established lot containing less than the prescribed area or width which as of April 29, 1955 was:

- a.** Owned separately from any adjoining lot and filed in the Office of the Town Clerk of the Town of Granby, or
- b.** Shown on a plan of subdivision approved by the Commission and filed in the Office of the Town Clerk of the Town of Granby. Where two or more non-conforming adjoining lots of record are in the same ownership on the effective date of these Regulations, then such lots shall be combined to meet the lot area or width requirement, unless each such lot contains 25,000 square feet of land area and 100 feet of lot width.

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2.8 ILLUMINATION

No residential, commercial or industrial interior or exterior lighting, shall be of such intensity, or located or directed in such a way, as to produce glare or discomfort on public streets or neighboring property.

2.9 TEMPORARY AND CONDITIONAL PERMITS

Special events or uses for a period of seventy-two (72) hours or less, not specifically permitted in these Regulations, operated by the Town of Granby or its representatives, or by religious, charitable, educational or non-profit organizations, shall be permitted without a public hearing, providing all police, fire and other municipal regulations or requirements are complied with.

2.10 RECORDING OF VARIANCE AND SPECIAL PERMITS

No variance or special permit granted according to these Regulations shall be effective until a copy certified by the Commission or Zoning Board of Appeals, whichever is applicable, is filed in the Office of the Town Clerk of the Town of Granby.

2.11 RESIDENTIAL FUEL TANKS

The burial of fuel tanks intended for residential fuel oils or other petroleum products is prohibited. Fuel tanks shall be located in basements or in approved structures above ground.

2.12 PROPERTY ABUTTING PERMANENT WATERCOURSES

All property abutting or including a watercourse shall maintain an area of open space land of not less than seventy-five (75) feet in width along the entire frontage of said watercourse. The land area contained in said area shall remain free of all structures.

2.13 OUTDOOR WOOD-BURNING FURNACES

Outdoor Wood-burning Furnaces as defined by Public Act 05-227 are prohibited in all zones.